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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/987,218	11/14/2001	Andrew Chien	MR1957-619	6728
4586	7590	06/03/2004	EXAMINER	
ROSENBERG, KLEIN & LEE 3458 ELLICOTT CENTER DRIVE-SUITE 101 ELLICOTT CITY, MD 21043			MISTRY, O NEAL RAJAN	
			ART UNIT	PAPER NUMBER
			2173	

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/987,218	CHIEN ET AL.	
	Examiner	Art Unit	
	O'Neal R Mistry	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2 and 7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2 & 7 is/are rejected.
- 7) ☒ Claim(s) 3-6 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- RB* a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2173

DETAILED ACTION

This application has been examined.

Claims 1-7 are presented for examination.

Drawings

The Examiner contends that the drawings submitted on November 14, 2001 are acceptable for the examination proceedings.

Claim Objections

Claim 1 line 1 objected to because of the following informalities: "?". Appropriate correction is required.

Claim 1 line 9 objected to because of the following informalities: "replay". Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1, 2 & 7 rejected under 35 U.S.C. 102(e) as being anticipated by Ballard (U.S. Patent 6,727,916).

Regarding claim 1, Ballard states a local user joining a message chat room (col. 3 line 65- col. 4 line 4), which lets a user use a microbrowser that is used on a wireless handheld that allows the user to interact in a chat session.

Ballard suggests "examining whether the user presses a key for forwarding a message ? if true, providing structuralized, modularized and hierarchy message menu to the user, else the local user waiting for a plurality of pre-established replay messages provided by a server or a remote cellulous phone and the local user" (col. 4 lines 28-42), since Ballard lets a user exercise the MENU softkey to obtain pre-defined phrases in the handheld device.

Regarding to claim 2, Ballard states the message chat room comprises following operation window:

- a first window displaying the message sent by a remote user (col. 8 lines 64-67 & Fig. 3);

- a second window displaying the message sent by the local user (col. 8 line 66 – col. 9 line 2 & Fig. 3);

- a third window displaying the reply messages and a plurality operation keys (col. 4 line 19- col. 10 line 20 & Fig. 4, Fig. 5)

Regarding to claim 7, Ballard states the local user can press a modify key to modify the reply messages and the message chat room provides an editing window to facilitate modify operation (col. 10 lines 48-65), which the examiner has interpreted as the user can edit pre-defined message to form exactly what the user wants to say.

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Claim 3-6 are objected to as being dependent upon a rejected bases claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

As per the "user define length (UDL), user define head length (UDHL), a plurality of information element identifier (IEI), a plurality of information element identifier data length (IEIDL), and a plurality of information element data (IED).", the best prior art of record, Ballard et al, does not mention multiple of information element identifier (IEI), information element identifier data length (IEIDL), and a plurality of information element data (IED) for both forwarding and receiving data in a single packet; Rothschild et al. , whiling involving packets, and frames, has headers and packet size, and the packet itself.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Rothchild et al (U.S. Patent Number 6,226,686).

Ballard et al (U.S. Patent Number 6,727,916).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to O'Neal R Mistry whose telephone number is (703) 305-2738. The examiner can normally be reached on 9am - 6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Cabeca can be reached on (703)308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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